

As an initial matter, it is unclear whether the rejection relies upon English, Trompower and Proctor as each teaching a different feature of the claimed invention or whether the rejection relies upon English, Trompower and Proctor as each teaching the same feature of the claimed invention. Clarification is respectfully requested.

In the Amendment mailed January 25, 2006, Applicant argued that the combination of Bommaiah with English, Trompower and Proctor is improper and should be withdrawn. In the final Office Action, the Examiner states that wireless networks “require careful power and antenna considerations, so one skilled would look to optimize the user-adding processes via power control and/or antenna pointing/steering.” Applicant does not dispute that wireless networks require careful power and antenna considerations. However, it by no means follows from this statement that the skilled person would seek to add nodes to a wireless mesh via power control and/or antenna pointing/steering. The Examiner is, in effect, concluding that the claimed invention would have been obvious and then using that conclusion as a basis for combining references. It is well established that the teaching or suggestion to make the claimed combination must be found in the prior art, not in Applicant’s disclosure (MPEP §2143). The Examiner is respectfully requested to point out the basis *in the references* for combining Bommaiah, Proctor, English and Trompower, in view of the fact that Bommaiah contains no teaching whatever regarding power control and/or antenna pointing/steering. No reason is seen why the skilled person reviewing Bommaiah would look to English, Trompower or Proctor, absent knowledge of the present invention. It is Applicant’s contention that the combination of Bommaiah with English, Trompower and Proctor is improper and should be withdrawn.

Even if the combination of references is proper, the combined teachings of Bommaiah, English, Trompower and Proctor do not suggest the claimed invention. It is true that Bommaiah teaches adding nodes to a wireless mesh network, while English, Trompower and Proctor teach various applications of directional antennas. However, the combination of references does not teach a method for adding nodes to a wireless mesh network, including adjusting antenna sensitivity pattern to exhibit spatial selectivity, transmitting a query and, *if a response to the query is received from a responding wireless node within a predetermined time period, adding the responding*

wireless node to the mesh network, as required by claim 1. The claim steps are simply not found in the cited references.

For these reasons, claim 1 is clearly and patentably distinguished over the cited references. Claims 2-4 depend from claim 1 and are patentable over the cited references for at least the same reasons as claim 1.

Independent claim 8 is directed to a wireless device and contains device limitations that parallel the method limitations of claim 1. Independent claim 15 is directed to a computer-readable medium having computer-executable instructions that parallel the method limitations of claim 1. Claims 8 and 15 are patentable over Bommaiah in view of English, Trompower and Proctor for at least the reasons discussed above in connection with claim 1. Claims 9-11 depend from claim 8, and claims 16-18 depend from claim 15. Claims 9-11 and 16-18 are patentable over the cited references for at least the same reasons as claims 1, 8 and 15.

Claim 5 is directed to a method for supporting data connections between three or more wireless devices, comprising adjusting the sensitivity pattern of an antenna on a first wireless device, communicating with a second wireless device, and further adjusting the sensitivity pattern of the antenna on the first wireless device to enable communication with a third or more wireless devices.

As discussed above, Applicant acknowledges that Bommaiah teaches adding nodes to a wireless mesh network, and that English, Trompower and Proctor teach various applications of directional antennas. However, the combined teachings of Bommaiah, English, Trompower and Proctor do not disclose or suggest adjusting the sensitivity pattern of an antenna on a first wireless device, communicating with a second wireless device, and further adjusting the sensitivity pattern of the antenna to enable communication with other wireless devices. The cited references simply do not disclose this combination of steps.

As discussed above, the combination of Bommaiah with English, Trompower and Proctor is improper and should be withdrawn. For these reasons, claim 5 is clearly and patentably

distinguished over Bommaiah in view of English, Trompower and Proctor. Claims 6 and 7 depend from claim 5 and are patentable over the cited references for at least the same reasons.

Claim 12 is directed to a computer-readable medium having computer-executable instructions that parallel the method limitations of claim 5. Claim 12 is clearly patentable over Bommaiah in view of English, Trompower and Proctor for at least the same reasons as claim 5. Claims 13 and 14 depend from claim 12 and are patentable over the cited references for at least the same reasons as claim 12.

Based upon the above discussion, claims 1-18 are in condition for allowance.

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: April 17, 2006
X05/15/06X

Respectfully submitted,

By William R. McClellan
William R. McClellan
Registration No.: 29,409
WOLF, GREENFIELD & SACKS, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
(617) 646-8000